

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IGOR SEVASTIANOV,

Plaintiff,

-against-

UR JADDOU, et al.,

Defendants.

24-CV-1075 (DEH)

**ORDER**

DALE E. HO, United States District Judge:

Plaintiff, who is proceeding *pro se*, paid the filing fees to commence this action. He sues: (1) Ur Jaddou, Director of United States Citizenship and Immigration Services (“USCIS”); (2) Loren Miller, Director of USCIS’s Nebraska Service Center; and (3) “Officer: 0348,” a USCIS Officer assigned to the USCIS’s Nebraska Service Center. The Court understands Plaintiff’s complaint as invoking the court’s federal-question jurisdiction, and as suing the defendants in their respective official capacities as federal officers. An order issued March 15, 2024, directed Plaintiff to clarify what relief he seeks in this litigation. *See* ECF No. 5. In a letter filed April 10, 2024, Plaintiff states that he seeks declaratory relief, namely, a finding that the 2001 rescission of his permanent resident status was unlawful, and injunctive relief, in the form of restoration of Plaintiff’s permanent residency. *See* ECF No. 6.

The Clerk of Court is directed to issue summonses as to Defendants. Plaintiff is directed to serve the summons and complaint on each Defendant within 90 days of the issuance of the summonses.<sup>1</sup> Plaintiff is apprised that because he has paid the filing fee in this case, he cannot

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<sup>1</sup> Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, the summons in this case was not issued when Plaintiff filed the complaint because he had not paid the filing fee. The Court therefore extends the time to serve until 90 days after the date the summons is issued.

rely on the U.S. Marshals to effectuate service. Plaintiff is directed to Federal Rule of Civil Procedure 4(i)(2), regarding service of officers of the United States sued in their official capacity. *See* Fed. R. Civ. P. 4(i)(2) (“To serve . . . a United States officer or employee sued only in an official capacity, a party must serve the United States and also send a copy of the summons and of the complaint by registered or certified mail to the . . . officer[.]”); *see also id.* 4(i)(1) (providing information on service of the United States).

Plaintiff is apprised that failure to timely complete service may result in dismissal of this action for failure to prosecute. *See id.* 4(m) (“If a defendant is not served within 90 days . . . , the court . . . must dismiss the action . . . or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service[.]”).

SO ORDERED.

Dated: April 22, 2024  
New York, New York



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DALE E. HO  
United States District Judge